



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) against the City of Lodi

**MEETING DATE:** December 5, 2001

**SUBMITTED BY:** Human Resources Director

**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

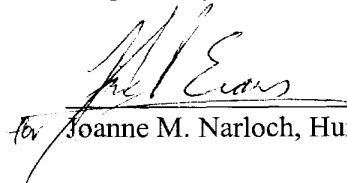
A) Jack Alquist

DOL: 08/15/01

**BACKGROUND INFORMATION:** Following review of the verified claim filed against the City of Lodi, Human Resources staff and the City Attorney's Office recommend the City deny the subject claim.

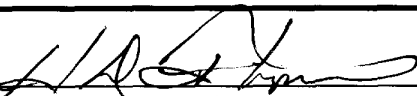
**FUNDING:** None Required.

Respectfully submitted,

  
for Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

CITY COUNCIL

ALAN NAKANISHI, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
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# CITY OF LODI

CITY HALL  
221 WEST PINE STREET, P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
HUMAN RESOURCES: (209) 333-6704  
FAX (209) 333-6816

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

Notice of Claim Rejection

December 5, 2001

Law Offices of Lori J. Gualco  
455 Capitol Mall, Suite 210  
Sacramento, CA 95814

RE: Claim against the City of Lodi  
Claimant: Jack Alquist  
Date of Loss: 8/15/01  
Our Claim Number: 726-01

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on October 30, 2001 is rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan J. Blackston  
City Clerk

cc: City Attorney  
Risk Manager